

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

THURSDAY, January 28, 1965.

10:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Wilbur A. Reid.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendzioriski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Absent with leave—Senator Miller—1.

RESOLUTIONS INTRODUCED

Senate Resolution 10

Relating to the appointment of employees of the senate.

Resolved by the senate, upon the recommendation of the Senate Committee on Organization under Senate Rule 87 and until otherwise resolved, That the following additional persons be assigned to the staff of the chief clerk in accordance with Senate Rule 87a until released from employment.

<i>Name</i>	<i>Home Address</i>	<i>Position</i>
Jean Ellarson	Madison	Stenographer
Marion M. Perrigo	Madison	Stenographer
Joyce Adams	Monona	Stenographer

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Adele Hanson	Madison	Stenographer
Joyce Konczak	Madison	Stenographer
Sarah Jacquish	Madison	Stenographer
Ruth Johnson	Madison	Stenographer
Sharon Lee Cross	Madison	Typist

By Senator Knowles.

Was read.

The resolution was adopted.

BILLS INTRODUCED

Senate Bill 52

Eliminating the sales tax on certain household items.

By Senator Lourigan.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

Senate Bill 53

Relating to repealing the licensing of and tax on oleomargarine.

By Senators Kendzierski, Zaborski and Leonard.

Read first time.

To committee on Agriculture.

Senate Bill 54

Relating to clerk of court fees for receiving and disbursing money in domestic relations cases.

By Senators Kendzierski, Sussman, Schuele, Busby and Benson, by request of Milwaukee County.

Read first time.

To committee on Judiciary.

Senate Bill 55

Authorizing the city of Madison to use an additional area, therein described, of Lake Monona for the purposes stated in Chapter 301, laws of 1931, including street and highway purposes.

By Senator Risser.

Read first time.

To committee on Governmental and Veterans' Affairs.

Senate Bill 56

Relating to Dutch Elm disease studies and making an appropriation.

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By Senators Leonard, Zaborski, Schreiber, Schuele, Busby; co-sponsored by Assemblymen Jones, Hanna and Soik.
Read first time.

To Joint committee on Finance.

Senate Bill 57

Relating to the duty of the district attorney and corporation counsel in counties having a population of 500,000 or more.

By Senator Leonard.

Read first time.

To committee on Judiciary.

Senate Bill 58

Relating to conforming the statutes with new chapter 985 of the statutes, which contains provisions governing required newspaper publications of legal notices and related matters.

By Legislative Council.

Read first time.

To committee on Judiciary.

MOTIONS

Senate Bill 40

Which had been laid aside temporarily on Tuesday, January 26 was referred to the joint Survey committee on Tax Exemptions, upon motion of Senator Knowles, with unanimous consent.

COMMUNICATIONS

The State of Wisconsin
Executive Office
Madison 53702

Mr. Lawrence R. Larsen
Chief Clerk of the Senate
State Capitol
Madison, Wisconsin

Dear Mr. Larsen:

I request permission to appear before a joint session of the Legislature in the Assembly Chambers on Wednesday,

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February 3, at 11:00 A.M., in regard to the budget of the State of Wisconsin.

Respectfully,

WARREN P. KNOWLES,
Governor.

January 27, 1965.

Upon motion of Senator Knowles, with unanimous consent, the chief clerk was directed to notify the Governor that his request was granted.

A report from the committee on Committees was received at the chief clerk's desk and read.

Senator Leonard had the floor, by unanimous consent, to make a statement.

Senator McParland rose to the point of order that Senator Leonard was not properly confining his remarks to the question before the senate.

The president ruled the point of order by Senator McParland well taken.

Senator McParland again rose to the point of order that Senator Leonard was not properly confining his remarks to the question before the senate.

The president held the point of order well taken, advised Senator Leonard to confine himself to the question and allowed him to continue.

Senator Leonard asked unanimous consent that the report of the committee on Committees be laid over until Tuesday, February 2nd.

Senator Zaborski objected.

With unanimous consent, Senator Zaborski withdrew his objection.

Senator Leonard asked unanimous consent that the report of the committee on Committees be returned to that committee.

Several more senators spoke by unanimous consent request on related subjects to the report.

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Senator Sussman rose to a point of order that some of the remarks related to the assembly and that these remarks were out of order.

The president held the point of order by Senator Sussman well taken.

The report of the committee on Committees was returned to that committee there being no objection to Senator Leonard's unanimous consent request.

COMMITTEE REPORT

The joint committee on Finance reports and recommends:

Senate Bill —

A bill to repeal 16.52 (4) and 20.550 (39); to renumber 20.929; to amend 14.42 (2) and (6) and 35.08 (6); to repeal and recreate 16.53 (1) (d); and to create 16.53 (1) (cm) of the statutes, relating to the operation of the department of administration and granting rule-making authority.

Introduction; Ayes, 9; Noes, 4.

Senate Bill —

A bill to amend 20.530 (2x) and 66.901 (4) (k); and to create 66.901 (5) (n) of the statutes, relating to the inclusion of certain members of the legislative clerical staff under the Wisconsin retirement fund.

Introduction; Ayes, 13; Noes, 0.

WALTER G. HOLLANDER,
Senate Chairman.

BILLS INTRODUCED

Senate Bill 59

Relating to the operation of the department of administration and granting rule-making authority.

By joint committee on Finance.

Read first time.

To joint committee on Finance.

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Senate Bill 60

Relating to the inclusion of certain members of the legislative clerical staff under the Wisconsin retirement fund.

By joint committee on Finance.

Read first time.

To joint Survey committee on Retirement Systems.

COMMITTEE REPORT

The committee on Labor, Taxation, Insurance and Banking reports and recommends:

The appointment by the Governor of Arthur L. Padrutt, of Madison, a member of the Public Service Commission, to succeed himself, for the term ending the 1st Monday in March, 1969.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of James R. Morgan, of Madison, as Commissioner of Taxation, to succeed George W. Corning, for the term ending July 1, 1965, and for the full term beginning July 1, 1965.

Confirmation; Ayes, 5; Noes, 0.

The appointment by the Governor of Walter J. Cole of Platteville, a member of the Public Service Commission, to succeed Stanley P. Hebert, for the term ending the 1st Monday in March, 1967.

Confirmation; Ayes, 5; Noes, 0.

GERALD D. LORGE,
Chairman.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

Assembly Joint Resoluiton 19 and

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The action by which the assembly, upon motion of Assemblyman Grover, pursuant to Joint Rule 26, has directed the Legislative Reference Library to prepare a suitable joint certificate of Commendation to Mr. Kenneth Peebles, Route #1, Bonduel, Wisconsin, on the occasion of his being picked by the Shawano Junior Chamber of Commerce as the outstanding young farmer of the year in Shawano County, and

The action by which the Assembly, upon motion of Assemblyman Rogers, pursuant to Joint Rule 26, has directed the Legislative Reference Library to prepare a suitable joint certificate of Commendation to Mr. Richard Killian, Route #3, Kaukauna, Wisconsin on the occasion of his being chosen by the Kaukauna Jr. Chamber of Commerce as the outstanding young farmer in the Kaukauna area of Outagamie County.

ASSEMBLY MESSAGE CONSIDERED

Assembly Joint Resolution 19

Relating to the life and public service of Claude H. Larsen.

Was read.

The joint resolution was concurred in by unanimous rising vote.

Ordered immediately messaged to the assembly.

The assembly action under Joint Rule 26 pursuant to motion by Assemblyman Grover was concurred in, upon motion by Senator Smith.

Ordered immediately messaged to the assembly.

The assembly's action under Joint Rule 26 pursuant to motion by Assemblyman Rogers was concurred in, upon motion of Senator Lorge.

Ordered immediately messaged to the assembly.

Upon motion of Senator Leonard, with unanimous consent, the senate returned to the 3rd order of business.

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INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 17 was offered by Senator Leonard.

Upon motion of Senator Draheim, with unanimous consent, the senate returned to the 11th order of business.

MOTIONS

Senate Bill 19

Was recalled from the committee on Governmental and Veterans' Affairs and referred to the joint committee on Finance, upon motion of Senator Draheim, with unanimous consent.

Upon motion of Senator Lorge, and in accordance with Joint Rule 26, the senate directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to the Honorable Judge Stanley A. Staidl of Appleton, Wisconsin, on the occasion of his retirement from his long and continuous service to the State of Wisconsin as a lawyer and County Judge, Branch 1, Outagamie County, Wisconsin, since April 1921 and February 16, 1953, respectively and for his many contributions to the legal system of the State of Wisconsin and positive action for the betterment of all society.

The senate's action was ordered immediately messaged to the assembly with request for assembly's concurrence therein.

Upon motion of Senator Knowles, in which motion the entire membership of the senate joined and in accordance with Joint Rule 26, the Legislative Reference Bureau was directed to prepare a suitable joint certificate of Commendation to Hazel B. Otto on the occasion of the proclamation by his Excellency, Governor Warren P. Knowles of January 28, 1965 as "HAZEL B. OTTO DAY" in recognition of Mrs. Otto's 46 years in state government service which day is the day on which she retires.

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The senate's action was ordered immediately messaged to the assembly with request for assembly's concurrence therein.

Upon motion of Senator Knowles, with unanimous consent, the senate resolved that today's adjournment would be in honor of Hazel B. Otto.

SECOND READING OF SENATE RESOLUTIONS

Senate Joint Resolution 13

Was read a second time.

The joint resolution was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the joint resolution was considered for final action at this time.

Senate Joint Resolution 13

To amend article IV, section 24 of the constitution, limiting the definition of consideration as an element in a lottery (2nd consideration).

WHEREAS, at the general session of the legislature in the year 1963 an amendment to the constitution was proposed and agreed to by a majority of the members elected to each of the 2 houses, which amendment reads as follows:

"(Article IV) Section 24. The legislature shall never authorize any lottery, or grant any divorce. *Except as the legislature may provide otherwise, to listen to or watch a television or radio program, to fill out a coupon or entry blank, whether or not proof of purchase is required, or to visit a mercantile establishment or other place without being required to make a purchase or pay an admittance fee does not constitute consideration as an element of a lottery.*"
Now, therefore, be it

Resolved by the senate, the assembly concurring, That the foregoing amendment to the constitution is agreed to by this legislature; and, be it further

Resolved, That the foregoing amendment be submitted to a vote of the people at the election to be held on the first

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Tuesday of April 1965, and if a majority of the voters voting thereon approve this amendment, it shall become a part of the constitution of the state; and, be it further

Resolved, That the question of the ratification of the foregoing amendment be stated on the ballot as follows:

"Shall section 24 of article IV of the constitution be amended so that Wisconsin citizens can participate, unless the legislature provides otherwise, in any lottery in which the only consideration tendered by the participant consists of listening to or watching a television or radio program, filling out a coupon or entry blank with or without proof of purchase, or visiting a mercantile establishment or other place without being required to make a purchase or pay an admittance fee?"

Was read a third time.

The question was: Shall the joint resolution be adopted?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, S u s s m a n, Thompson, Warren and Zaborski—31.

Noes—None.

Absent or not voting—Senator Miller—1.

So the joint resolution was adopted.

Ordered immediately messaged to the assembly.

Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 5th order of business.

BILLS INTRODUCED

Senate Bill 61

Relating to qualifications for barber apprentice permits.

By Senators McParland, Busby and Roseleip.

Read first time.

To committee on Public Welfare.

GUESTS INTRODUCED

Messrs. R. Merrel Rehy and Richard Rehy, both from Kenosha, Wisconsin were introduced to the senate by Senator Lourigan.

Senator Warren announced to the senate that it is honored by the presence of Mr. Louis Hessel from Green Bay, Wisconsin.

30 Janesville Consolidated School students who were accompanied by their teacher Norma Ahrensmeyer, all from Janesville, were introduced to the senate by Senator Carr.

Senator Meunier informed the senate that it is honored by the presence of Ed O'Konski from Kewaunee, Wisconsin, and who is the County Clerk for Kewaunee County, Wisconsin.

Honorable Joseph Anderson from Winneconne, Wisconsin, who is a former Assemblyman from Winnebago County, Wisconsin was introduced to the senate by Senator Draheim.

The president extended his welcome to all of the guests.

Upon motion of Senator Knowles and in honor of Hazel B. Otto, the senate adjourned until 9:00 o'clock Friday morning, January 29, 1965.